

05-23-01

JC19 Rec'd PCT/PTO 22 MAY 2001

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S CHECK NUMBER X-12553	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>09/856451</b>	
INTERNATIONAL APPLICATION NO <b>PCT/US99/27801</b>	INTERNATIONAL FILING DATE <b>November 23, 1999 (11.23.1999)</b>	PRIORITY DATE CLAIMED <b>November 30, 1998 (11.30.1998)</b>	
TITLE OF INVENTION: <b>ERYTHROPOIETIC COMPOUNDS</b>			
APPLICANT(S) FOR DO/EO/US: <b>John Michael Beals, et al.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
<b>Items 11. to 16. below concern document(s) or information included:</b>			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input type="checkbox"/> A FIRST preliminary amendment.			
<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> A substitute specification.			
15. <input type="checkbox"/> A change of power of attorney and/or address letter.			
16. <input type="checkbox"/> Other items or information:			

09/856451

PCT/US99/27801

X-12553

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. **\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but International Search Report prepared by the EPO or JPO ..... **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... **\$710.00**

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**

International preliminary examination fee paid to USPTO (37 CFR  
1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than \_\_20\_\_30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	27 - 20=	7	X \$18.00	\$ 126.00

Independent claims	3 - 3=		X \$80.00	\$
--------------------	--------	--	-----------	----

MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00	\$
---	--	------------	----

**TOTAL OF ABOVE CALCULATIONS = \$ 986.00**

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity  
Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). \$

**SUBTOTAL = \$ 986.00**

Processing fee of **\$130.00** for furnishing English translation later than \_\_20\_\_30  
months from the earliest claimed priority date (37 CFR 1.492(f)). +

**TOTAL NATIONAL FEE = \$**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$

**\$40.00 per**

property +

**TOTAL FEES ENCLOSED = \$ 986.00**

Amount to be

refunded

charged \$

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.b. ☒ Please charge my Deposit Account No. 05-0840 in the amount of **\$ 986.00** to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
(37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

ELI LILLY AND COMPANY  
PATENT DIVISION/MJS  
LILLY CORPORATE CENTER

SIGNATURE

Mark J. Stewart  
NAME

Date

43,936  
REGISTRATION NUMBER

(317) 276-0280  
TELEPHONE NUMBER

09/856451  
JC Rec'd PCT/PTO 22 MAY 2001

IN THE UNITED STATES RECEIVING OFFICE (USPS)

Applicant(s): John Michael Beals, et al.  
International Application No.: PCT/US99/27801  
Filed: November 23, 1999 (11.23.1999)  
Invention: ERYTHROPOIETIC COMPOUNDS  
Lilly Reference: X-12553  
Earliest Priority Date: November 30, 1998 (11.30.1998)

**Certificate Under 37 C.F.R. § 1.10**

Attention: DO/EO  
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

"Express Mail" mailing label number: EL559725754US

Date of Deposit: 5/22/01

I hereby certify that the following attached paper or fee

Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Queen Thomas

(Typed or printed name of person mailing paper)

Queen Thomas

(Signature of person mailing paper or fee)